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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Graham P. Allaway, et al.

Serial No. : 09/412,284 Examiner: J. Parkin

Filed : October 5, 1999 Group Art Unit: 1648

For : METHODS FOR USING RESONANCE ENERGY  
TRANSFER-BASED ASSAY OF HIV-1 ENVELOPE  
GLYCOPROTEIN-MEDIATED MEMBRANE FUSION, AND  
KITS FOR PRACTICING SAME

1185 Avenue of the Americas  
New York, New York 10036  
December 10, 2002

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

In accordance with their duty of disclosure under 37 C.F.R. §1.56, applicants direct the Examiner's attention to the following references which are listed on the PTO-1449 form attached hereto as **Exhibit A**. Copies of the references are attached hereto as **Exhibits 1-8** respectively.

1. Camerini, D., et al., (1990) "A CD4 Domain Important for HIV-Mediated Syncytium Formation Lies outside the Virus Binding Site", Cell, Vol. 60, No. 5, 747-754 (**Exhibit 1**)
2. Clapham, P.R., et al., (1989) "Soluble CD4 blocks the infectivity of diverse strains of HIV and SIV for T cells and monocytes but not for brain and muscle cells" Nature, Vol. 337, No. 6205, 368-370 (**Exhibit 2**)

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3. Dragic, et al., (1992) "Complementation of Murine Cells for Human Immunodeficiency Virus Envelope/CD4-Mediated Fusion in Human-Murine Heterokaryons", Journal of Virology, Vol 66, No. 8, 4794-4802 (**Exhibit 3**)
4. Freed, E. O., et al., (1991) "Identification of Conserved Residues in the Human Immunodeficiency Virus Type 1 Principal Neutralizing Determinant That Are Involved in Fusion" AIDS Research and Human Retroviruses, vol. 7, No. 10, 807-811 (**Exhibit 4**)
5. Harouse, J. M. et al., (1991) "Inhibition of Entry of HIV-1 in Neural Cell Lines by Antibodies Against Galactosyl Ceramide" Science, Vol. 253, No. 5017, 320-323 (**Exhibit 5**)
6. Mittler, R.S., et al., (1989) "Synergism Between HIV gp120 and gp120-specific Antibody in Blocking Human T Cell Activation.", Science, Vol. 245, No. 4924, 1380-1382 (**Exhibit 6**)
7. Travis, B.M., et al., (1992) "Functional Roles of the V3 Hypervariable Region of HIV-1 gp160 in the Processing of gp 160 and in the Formation of Syncytia in CD4-positive Cells", Virology, Vol. 186, No. 1, 313-317 (**Exhibit 7**)
8. Weinhold, K.J., et al., (1989) "HIV-1 gp120-Mediated Immune Suppression and Lymphocyte Destruction in the Absence of Viral Infection." Journal of Immunology, Vol. 142, No. 9, 3091-3097 (**Exhibit 8**)

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In accordance with 37 C.F.R. §1.97(e)(1) the undersigned certifies that each item of the information contained in this information disclosure statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the information disclosure statement. In particular these items were first cited in the Supplementary Partial European Search Report for corresponding European Patent Application No. 95905987.4 dated September 16, 2002 (**Exhibit B**).

If a telephone conference would be of assistance in advancing the prosecution of the subject application, applicants' undersigned attorneys invite the Examiner to telephone at the number provided below.

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No fee is deemed necessary in connection with the filing of this Information Disclosure Statement since this filing is being made prior to the mailing of a final action in the Continued Prosecution application filed October 25, 2002 and is accompanied by the statement specified in 37 C.F.R. §1.97(e)(1). However should any fee be due, authorization is hereby given to charge the required amount to Deposit Account No. 03-3125.

Respectfully submitted,

*Mark A. Farley*

I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

*Mark A. Farley* 12-9-02

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